

PUBLIC HEARING--Sept. 22, 1965

Appeal #8344 Samuel Ackerman, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on September 28, 1965:

ORDERED:

That the appeal for a variance from the use provisions of the C-1 District to permit open storage of automobiles at 1719 Hamlin St. N.E., lot 16, square 4134, be granted.

As the result of an inspection of the property by the Board, and from the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) Appellant's lot, which is located in the C-1 District, has a frontage of 42 feet on Hamlin Street and depths of 90 feet and 75 feet to a fifteen foot wide public alley. This alley abuts the rear of the lot and the east side of the lot. The lot contains an area of 3959 square feet of land.

(2) The lot in question is opposite R-1-B property across Hamlin Street but otherwise is completely surrounded by C-1 property.

(3) This lot will be used by a small used car dealer at 18th and Hamlin Street where his used cars will be stored awaiting sale. The lot has a five foot high fence around it. Appellant stated that the property had been used for the past fifteen years for storage of automobiles.

(4) There was opposition to the granting of this appeal registered at the public hearing. There was one letter in favor of the appeal.

OPINION:

We are of the opinion that appellant has proven a case of hardship within the meaning of the provisions of Sect. 8207.11 of the Zoning Regulations. We note that although the property is used for the storage of automobiles, a parking lot as such could be operated as a matter-of-right, and could possibly be more objectionable to the residential neighborhood than the use proposed which will be more or less dead storage.

In view of the above it is our further opinion that this relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.